

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Leonid Falberg, as representative of a class of similarly situated persons, and on behalf of The Goldman Sachs 401(k) Plan,

Plaintiff,
v.

The Goldman Sachs Group, Inc., The Goldman Sachs 401(k) Plan Retirement Committee, and John Does 1-20,

Defendants.

Case No. 1:19-cv-09910-ER

**PLAINTIFF'S MOTION FOR
LEAVE TO FILE UNDER
SEAL**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Section 3(ii) of the Court's Individual Practices, Plaintiff Leonid Falberg ("Plaintiff") hereby moves this Court for an order allowing him to file the following document under seal in connection with his opposition to Defendants' Motion to Exclude Certain Opinions of Dr. Brian C. Becker:

1. An unredacted Memorandum in Opposition to Defendants' Motion to Exclude Certain Opinions of Dr. Brian C. Becker (which references material designated as "Confidential" by Defendants")¹.

On March 24, 2022, Plaintiff requested Defendants' permission to publicly file the materials in question, but Defendants declined to grant such permission. Plaintiff takes no position on whether these materials have been properly designated as confidential by Defendants, and it

¹ Plaintiff intends to publicly file a redacted version of the Memorandum that omits references to material designated as "Confidential" by Defendants.

shall be Defendants' obligation to support this motion as the parties who designated the underlying material "Confidential."

WHEREFORE, subject to Defendants making the necessary showing, Plaintiff respectfully requests that this Court enter an order allowing him to file the aforementioned materials under seal in connection with his response to Defendants' Motion to Exclude Certain Opinions of Dr. Brian C. Becker.

Respectfully Submitted,

Dated: March 28, 2022

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-and-

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2022, a true and correct copy of the foregoing was served by CM/ECF to the parties registered to the Court's CM/ECF system.

Dated: March 28, 2022

s/Brock J. Specht
Brock J. Specht